



Docket 534273-005

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

RECIPROCATING BARRIER ASSEMBLY

described and claimed

 in the attached specification;
 X in the specification filed June 30, 1999,
as U.S. Application Serial No. 09/345,621.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Send Correspondence To:

David A. Mancino
Thompson Hine & Flory LLP
2000 Courthouse Plaza NE
Dayton, Ohio 45401-8801

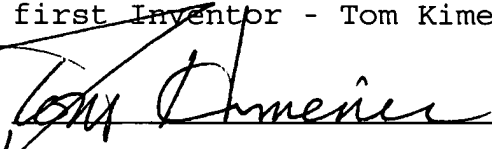
Direct Telephone Calls To:

David A. Mancino, Esq.
(937) 443-6888

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first Inventor - Tom Kimener

Inventor's Signature



Date: 7/8/99

Residence: 949 Woodcreek Drive, Milford, Ohio 45150

Citizenship : U.S.A.

Post Office Address: c/o Midwest Industrial Door, Inc.
112 Northeast Drive
Loveland, OH 45140

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Docket No.: 534273-005

Applicant or Patentee : Tom Kimener
Serial or Patent No. : 09/345,621
Filed or Issued : June 30, 1999
For : **RECIPROCATING BARRIER ASSEMBLY**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I declare that I am

- ☒ [X] the owner of the small business concern identified below:
☐ [] an official of the small business concern empowered to act on behalf of
the concern identified below:

NAME OF CONCERN: **Midwest Industrial Door, Inc.**
ADDRESS OF CONCERN: 112 Northeast Drive
Loveland, Ohio 45140

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with respect to the invention, entitled
RECIPROCATING BARRIER ASSEMBLY by inventor(s) Tom Kimener , described in

- ☐ [] the specification filed herewith
☒ [x] Application Serial No. 09/345,621, filed
June 30, 1999.
☐ [] Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights

to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).
*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

R. Peter Kiminer

TITLE OF PERSON OTHER THAN OWNER:

President

ADDRESS OF PERSON SIGNING:

112 Northeast Drive
Loveland, Ohio 45140

SIGNATURE _____

R. Peter Kiminer

R. Peter Kiminer

Title: President

DATE: _____

7/5/99